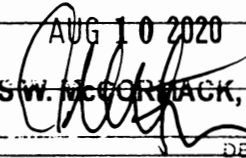


In The United States District Court
For The Eastern District of Arkansas

2020 AUG 10 A 10:12

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

United States of America

AUG 10 2020
JAMES W. MCCORMACK, CLERK
By: 
DEP CLERK

V

4:07-CR-00086-JM-2

Marcel Roshel Fennell

Motion requesting a attorney be appointed
to represent my case on compassionate
an compelling circumstances 18 USC
4205 (g) or 3582(C)(1)(A)(i)

This is a dangerous time, the risk of me
getting sick or dying of COVID 19 is greater
then most.

I'm housed at Forrest City, Ark. Low,
this is an open building where inmates
cant keep six (6) feet apart.



MC

U.S. Department of Justice
Federal Bureau of Prisons
Federal Correctional Complex
Post Office Box 7000
Forrest City, AR 72336
(870) 494-4200 OFFICE
(870) 494-4496 FAX

June 16, 2020

MEMORANDUM FOR FENNEL MARCEL ROSHEL REG. NO. 24590-009
FROM: DeWayne Hendrix, Complex Warden
SUBJECT: Denied for Reduction-In-Sentence/RIS

You requested a compassionate release/reduction in sentence (RIS) based on concerns about COVID-19. You were convicted of Conspiracy to Distribute Cocaine Hydrochloride. You have a prior conviction of Battery. In addition, you have been found guilty by the Discipline Hearing Officer (DHO) for Possessing a Hazardous Tool (x2). Your RIS request was evaluated and all factors outlined in Section 7 of the policy were used to evaluate your request. Your circumstances do not meet the criteria for consideration for a RIS under this category.

Title 18 of the United States Code, section 3582(c)(1)(A), allows a sentencing court, on motion of the Director of the BOP, to reduce a term of imprisonment for extraordinary or compelling reasons. BOP Program Statement No. 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§ 3582(c)(1)(A) and 4205(g), provides guidance on the types of circumstances that present extraordinary or compelling reasons, such as the inmate's terminal medical condition; debilitated medical condition; status as a "new law" elderly inmate, an elderly inmate with medical conditions, or an "other elderly inmate"; the death or incapacitation of the family member caregiver of the inmate's child; or the incapacitation of the inmate's spouse or registered partner. Your request has been evaluated consistent with this general guidance.

The BOP is taking extraordinary measures to contain the spread of COVID-19 and treat any affected inmates. We recognize that you, like all of us, have legitimate concerns and fears about the spread and effects of the virus. However, your concern about being potentially exposed to, or possibly contracting, COVID-19 does not currently warrant an early release from your sentence. Accordingly, your RIS request is denied at this time.

If you are not satisfied with this response to your request, you may commence an appeal of this decision via the administrative remedy process by submitting your concerns on the appropriate form (BP-9) within 20 days of the receipt of this response.

RE-ENTRY PLAN:

Inmate:

Marcel R. Fennell
Reg#24590-009
D.O.B. 07/06/1966
SSN. 431-27-8436

HISTORY:

Inmate Fennell has been in the Bureau of Prisons for almost 14 years with a release date in 2022. His conviction was a non-violent drug offense.

Inmate Fennell has taken over 20 RRP classes and has fulfilled his RDAP rehabilitation programming. He currently is working for recreation on the PM shift and has planned to continue his education and rehabilitation.

Inmate Fennell has been medically effected by a primary precursor to the Covid 19 of the medical issues of Asthma and high blood pressure. In late 1980's he was stabbed and worked to maintain proper maintainence of his health. He has been placed both Medically and within the guidelines of the Attorney General William Barr and the CARES ACT as a prime canidate for the compassionate release for Home Confinement as qualified.

HOME ADDRESS:

Marcel R. Fennell will reside for home confinement with his Mother Barbara Fennell, who is 72 years of age and still working, and located at:

1109 S. James St. Apt. A
Jacksonvill, AR. 72076
Phone 501-838-1612

In addition with staying with his mother he plans to assist her in her daily home living to take the pressure of home care. He has several family and friends who will also be assisting in his home confinement both financially and socially.

Additional Members:of Family and Friends:

Clidtra Allen (Sister)
Jacksonville, AR.
501-744-4618

Lantiel Mooney (Family Friend)
North Little Rock AR.
870-270-3398

Danielle Tims (Family Friend)
Maumelle, AR.
501-722-5918

Isis Fennell (Sister)
St. Paul MN.

Int. M.F.

EDUCATION AND WORK:

During his time in his rehabilitation Inmate Fennell has taken over 20 RFP classes and works at Recreation during PM.

He plans to apply for his FASFA and take online courses to compliment his desired career path. Additionally his construction background in concrete finishing as a business owner for over 7 years he will be looking at the updating his business management for construction.

With his past history in the Construction industry and the logistics of Excavation and Concrete his additional desires to be involved in the logistics of the Trucking and Hauling industry and plans the purchasing and use of the dumptruck portion of the Construction business.

MEDICAL AND HEALTH:

Inmate Fennell being in the Bureau of Prisons for a extended period of time will require that he will need to find a new family general practice for a new Family Doctor and Clinical Provider. He plans to start using the Family refferals and family general practioner.

SPIRITUAL AND SOCIAL SUPPORT:

Inmate Fennell has immediate plans to explore the several Church organizations that his family and friends maintain participation with.

Additionally Inmate Fennell will be looking for Counseling and rehabilitaion groups within the Spiritual enviroment to maintain his active role of proactive rehabilitation.

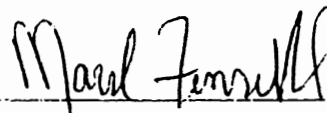
Remedy for Relief:

Inmate Fennell has come to your office for the assistance to be given compassionate release under the Program Statement 5050.50 and Title 18 U.S.C. 3582 and the CARES ACT and ATTORNEY GENERAL ACT of William Barr Attorney General.

AS a prime canidate of this Compassionate release I request of the Remedy to have this Request Granted Immediately..

Respectfully Requested,

BY: _____



Marcel R. Fennell
REG# 24590-009
06/08/2020

BP-S148.055 INMATE REQUEST TO STAFF CDFRM
SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) Warden, DeWayne Hendrix	DATE: 06/08/2020
FROM: Marcel R. Fennell	REGISTER NO.: 24590-009
WORK ASSIGNMENT: FM REC	UNIT: WA Case Manager Wilburn (MC Currently)

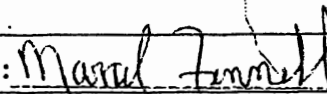
SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)
Warden,

I am coming to your office in need of assistance for the Program Statement 5050.50 for Compassionate Release under Title 18 U.S.C. §3582 - CARES ACT and ATTORNEY GENERAL ACT for the COVID compassionate release for Home Confinement. Attached is a Re-Entry Plan and support both socially and financially to allow such home confinement to be available.

Inmate Fennell has placed this Request for Home confinement in the Inmate Mailbox on 06/08/2020.

Respectfully Requested,

BY:



Marcel R. Fennell, Reg #24590-009

(Do not write below this line)

DISPOSITION:

Signature Staff Member

Date

Record Copy - File; Copy - Inmate
(This form may be replicated via WP)This form replaces BP-148.070 dated Oct 86
and BP-S148.070 APR 94